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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

EDUARDO “EDWARD” LOPEZ,

Defendant

CASE NO.: 2:23-CR-00055-CDS-DJA

**MOTION TO CONTINUE DEADLINE
TO RESPOND TO ORDER TO SHOW
CAUSE [ECF NO. 693]**

(Second Request)

Attorney Mark Krotoski, Esq., by and through his undersigned counsel, respectfully moves, pursuant to LR IA 6-1, for an extension of time to file his response to the Court’s June 17, 2025 Order to Show Cause (“Order”), which is currently due by July 17, 2025. ECF No. 700. As the Court was previously made aware, the undersigned has been in the midst of a jury trial, which began on July 7, 2025 and is expected to conclude tomorrow, July 17, 2025. ECF No. 698. Although this Court graciously extended the time for a response to be filed, the undersigned underestimated the time it would take to complete a thorough review of this matter and idealistically believed a response could be finalized in the allotted time despite the ongoing trial. Therefore, the undersigned requests an additional week, until July 24, 2025, to submit a written response to the Court on behalf of Mr. Krotoski. This is the second request to extend the time for Mr. Krotoski’s response to the Court’s Order.



1 **MEMORANDUM OF POINTS AND AUTHORITIES**

2 **I.**

3 **LEGAL ARGUMENT**

4 Local Rule IA 6-1 allows for motions to extend time to file briefs before this Court. “A
5 district court has ‘broad discretion’ to grant or deny a continuance.” *United States v. Flynt*, 756
6 F.2d 1352, 1358 (9th Cir. 1985), *amended on other grounds*, 764 F.2d 675 (1985).¹ The Ninth
7 Circuit has identified four factors that are relevant on a motion to continue: (1) “the extent of [the
8 movant’s] diligence in his efforts to ready his defense”; (2) the “[u]sefulness of the
9 [c]ontinuance”; (3) “the extent to which granting the continuance would have inconvenienced the
10 court and the opposing party, including its witnesses”; and (4) the “the extent to which the
11 [movant would] suffer[] harm as a result of [a] denial.” *Id.* at 1358-59.

12 Here, each of the four factors weigh in favor of the requested extension. First, since the
13 Order to Show Cause was issued, the undersigned have been diligently working to prepare a
14 thorough response for the Court. This includes a review of relevant portions of the trial transcript,
15 email communications, telephone records, text communications, exhibits, and court docket
16 entries. Second, a continuance would be useful, as it will allow undersigned counsel additional
17 time to complete this review and provide legal guidance and representation to Mr. Krotoski.
18 Third, the requested continuance will not inconvenience the Court, which would instead benefit
19 from a response arising out of an objective view of the record.

20 Fourth and most importantly, Mr. Krotoski will be severely prejudiced should the
21 extension be denied. The issues raised in the Order present significant implications to Mr.
22 Krotoski’s professional career, as the Court has required him to address possible violations of the
23 rules of professional conduct. Thus, Mr. Krotoski has retained counsel to protect his interests and
24 guide him in responding to the Court.

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28 ¹ Although Mr. Krotoski is not the defendant in this criminal matter, he is afforded constitutional due process rights in responding to the Court’s Order. *See* ECF No. 693, at p. 1.



1 A brief one-week continuance of the July 17, 2025 deadline to July 24, 2025 will allow
2 sufficient time for counsel to provide a thorough, measured response to the Court on the issues
3 presented in the Order.

4 **III.**

5 **CONCLUSION**

6 For the foregoing reasons, Mr. Krotoski, through his undersigned counsel, respectfully
7 requests a one-week continuance, until July 24, 2027, in which to respond to the Court's Order
8 to Show Cause.

9 Dated this 16th day of July, 2025.

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19 **ORDER**

20 It is hereby ordered that non-party Mark Krotoski's motion to extend his response deadline
21 [ECF No.] is granted. The deadline for Krotoski to respond to the June 17, 2025 order to show
22 cause is extended to July 24, 2025.

23 Dated:

24 
25 CRISTINA D. SILVA
26 UNITED STATES DISTRICT JUDGE
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CERTIFICATE OF SERVICE

Pursuant to FRCP 5 and LR-5.1, I certify that I am an employee of CHRISTIANSEN TRIAL LAWYERS, and that on this 16th day of July, 2025, I caused the foregoing document entitled **MOTION TO CONTINUE DEADLINE TO RESPOND TO ORDER TO SHOW CAUSE [ECF NO. 693]** to be filed and served via the Court's CM/ECF electronic filing system upon all registered parties and their counsel.



An employee of Christiansen Trial Lawyers

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